

REMARKS

The Examiner in the non-final Office Action mailed March 31, 2009 requested that Applicant make several elections. Applicant filed an Amendment on April 24, 2009. The Examiner mailed a Notice of Non-Compliant Amendment on May 26, 2009 indicating that claim 114 was not in proper form. Claim 114 was amended, but indicated that the status was withdrawn. Applicant has changed the status of the claim to amended.

Applicant elects the invention wherein the body member includes a bio-degradable material and the intermediate compound includes hydrophilic and hydrophobic compound. Applicant notes that the examiner required an election between hydrophilic and hydrophobic compound and ethylene acrylic acid copolymer; however, the originally filed Specification discloses that ethylene acrylic acid copolymer is one example of a hydrophilic and hydrophobic compound. Applicant submits that all of the pending claims fall within the scope of the elected claims.

Applicant submits that the claims pending in the above-identified patent application are all directed to the elected species and are in allowable form, and a notice to such effect is earnestly solicited.

Respectfully submitted,
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